



MINUTES

PLACER COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT BOARD OF DIRECTORS Monday, August 14, 2006

The Board of Directors for the Placer County Flood Control and Water Conservation District met in session beginning at 4:00 P.M., Monday, August 14, 2006 in the Rocklin City Council Chambers, 3970 Rocklin Road, Rocklin, California. Brian Keating, District Engineer, Andrew Darrow, Development Coordinator and Christiana Darlington, District Counsel, represented the District.

1. **ROLL CALL:**

By roll call, Directors present: Weygandt, Santini, Rompala, Hanley and John Allard attending for Roccucci.

Not Present: Directors: Morillas, Santucci and Yorde

2. **REVISED AGENDA APPROVAL:**

Ken explained that Action Item 6d, (Miners Ravine Off-Channel Detention Basin Facility – Approval Authority for Construction Contract Change Orders and Approval of Construction Contract Change Order No. 1) needed to be added to the agenda due to a matter of public safety (Government Code Section 54954.2 (b) and that the need for the item was not known prior to the agenda distribution (Code Section 54956 (a)). Ken further stated that Construction Contract Change Order No. 1 has become necessary based on substantially greater than expected groundwater dewatering discovered by Syblon Reid during initial excavations.

Director Hanley asked if adding Action Item 6d to the agenda is consistent with interpretation allowing for public safety. Ken stated that without this action construction will be delayed and the flood control improvements would not be completed in a timely manner.

Approved revised agenda as submitted.

MOTION: Santini / Rompala

3. **APPROVAL OF JUNE 12, 2006 MINUTES:**

Approved as submitted

MOTION: Weygandt / Santini

4. **PUBLIC COMMENT:**

None

5. ITEM FOR INFORMATION:

- a. The 2006 stream channel maintenance program within unincorporated County areas is underway with assistance from the California Conservation Corps (CCC).

Andrew Darrow, Development Coordinator, reported that Placer County's annual stream channel maintenance work (managed by the District) should begin soon in the Dry Creek watershed, but that work has been delayed approximately one month by the CCC crews. Andrew stated if the CCC crews don't start before late September, District staff may need to look into further options available through the County.

Andrew stated that the three major crossings over the Dry Creek main stem (at Watt, Walerga and Cook Riolo Roads) have been selected and are considered critical areas where improved passage of floodwaters has a large beneficial impact. A total of 28 work days are planned this year covering an estimated 1.75 miles of creek channel. Several locations along Antelope Creek, Secret Ravine and Miners Ravine have been added in the upper watershed locations due to last years New Years Eve flood event. The work included is the removal of dead trees, debris, emergent vegetation, aquatic vegetation, sediment and any other obstructions that are found to prevent flow. Stream channel expenses will be completely reimbursed next fiscal year by transfers from the County's CSA 28 Zone 22.

Director Rompala asked who provides the equipment to remove obstructions from the channel. Andrew stated that CCC crews currently provide their own equipment.

6. ACTION ITEMS:

- a. Miners Ravine Off-Channel Detention Basin Facility – Project update and adoption of Resolution Number 06-06 approving the Right-Of-Way Contract and accepting the Grant Deed for a drainage easement from property owner Fakhri Attar.

Brian reported that all necessary federal and state permits have been received, the construction contract has been executed and a Notice to Proceed has been issued to the contractor, Syblon Reid. Construction activities have been delayed approximately one month due to a longer than anticipated public hearing process for the necessary City of Roseville tree permit and by the Corps not issuing the final Letter of Permission (Section 404) until July 19, 2006. Brian stated that the delay may impact required in-stream work which must be completed by October 15th, but an extension may possibly be filed with the Department of Fish and Game. With a 110 working day construction contract period, Syblon Reid will most likely be constructing this project through the spring and early summer of 2007.

Brian stated that District staff have completed negotiations for the purchase of a required ¼ acre size drainage easement from the property owner, Fakhri Attar, on the upstream side of the project. Brian reported that the District and City of Lincoln staff have developed a reimbursement agreement providing for disposal of approximately 21,000 cubic yards of excess fill at the Highway 65 Bypass project site in the City of Lincoln and that approval of this agreement by resolution is recommended today.

Brian reported that Elliott Homes continues to construct the Sierra College Boulevard widening project, the District's related frontage improvements and the new 6' X 10' culvert beneath the boulevard. Brian reported that Staff will continue to coordinate with Elliott over the granting of a drainage easement from the District to Elliott for a 4' X 8' storm drain outfall and is awaiting legal descriptions and plot maps from Elliott.

Brian stated that Staff will continue to coordinate with Placer Land Trust to finalize the required flood and conservation easement issuance over the entire 26-acre parcel. RBF Consulting will soon begin preparation of the project Operations, Maintenance and Monitoring plan (OMM) once all regulatory permits are obtained for reference in this document.

Brian recommended the Board adopt Resolution Number 06-06 approving the Right-Of-Way contract and accepting the grant deed for a purchase price of \$20,000 (\$2.67 per square foot) for a drainage easement from property owner Fakhri Attar.

MOTION: Rompala / Weygandt – Unanimous

- b. Miners Ravine Off-Channel Detention Basin Facility – Adoption of Resolution Number 06-07 authorizing execution of a multi-agency Agreement No. 73256 with the City of Lincoln for specified hauling.

Ken Grehm recommended that the Board adopt Resolution Number 06-07 authorizing the Executive Director to execute an agreement between the City of Lincoln and the District for the hauling, placement and hydroseeding of approximately 21,000 cubic yards of excess soil material generated from the Miners Ravine Off-Channel Detention Basin Facility

Ken stated that construction of the Miners Ravine Off-Channel Detention Basin Facility will generate approximately 21,000 cubic yards of soil suitable for off-site use as potential structural fill material. One such off-site disposal location is the City of Lincoln's Highway 65 Bypass interchange site located in Lincoln. During the bid phase contractors bid on three alternate items for this disposal option at the City site including the hauling, placement and hydroseeding of the soil. Syblon Reid was the lowest bidder on the project and submitted reasonably priced add alternate items for this disposal option totaling \$89,670 or \$4.27 per cubic yard.

Ken further stated that City staff and District staff feel it is in the best interest of both agencies to dispose and beneficially re-use this material at the reasonable quoted prices. The City of Lincoln has agreed to reimburse the District for the entire additional \$89,670 cost to place the soil at the City site.

MOTION: Santini / Weygandt – Unanimous

- c. Miners Ravine Off-Channel Detention Basin Facility – Authorize staff to issue Addendum No. 7 to the RBF Consulting contract for additional professional services in the amount of \$174,540.

Brian Keating requested authorization for staff to execute amendment No. 7 to the existing Professional Services Agreement (PSA) with RBF Consulting (Contract No. 73207) for additional

out-of-scope consulting services required during the design, bidding and future construction oversight phases.

Brian stated that during the final stages of project permitting and design, as well as during the construction bid phase of this project, RBF Consulting incurred additional costs for services beyond the scope of the original contract. Brian further stated that the need for a permanent bicycle path easement over District property was not anticipated and requires preparation of a legal description and exhibit plat map. Brian reiterated that because the number of working days allowed for within the construction contract has been increased from 85 to 110 working days to construct a more complex design, the level of effort to provide full-time construction management and staking services has increased significantly.

These out-of-scope tasks and their associated costs are detailed below:

1. Bike Trail Legal Description and Exhibit Plat:	\$2,100
2. Final Modifications to Plans and Specifications	\$27,650
3. Additional DSOD Permit Coordination	\$4,300
4. Additional Bid Support Coordination	\$6,400
5. Increased Construction Staking Services	\$37,500
6. Increased Construction Inspection	\$76,870
7. Pre-construction and Construction Environmental Monitoring	\$18,060
8. Conduct Baseline Rearing Habitat Diversity Survey	\$1,330
9. Coordination of Interpretive Sign Production	<u>\$330</u>
Sub-Total:	\$174,540

The majority of these additional costs are associated with construction inspection and construction staking services which became necessary as the project has grown more complex and will require additional staking and full-time inspection services.

RBF Contract Summary To Date:

Original Contract:	\$726,996
Amendment No. 1:	\$11,900
Amendment No. 2:	\$22,500
Amendment No. 3:	\$31,050
Amendment No. 4:	\$9,550
Amendment No. 5:	\$17,170
Amendment No. 6:	\$1,600
Amendment No. 7:	<u>\$174,540</u>
Amendment Sub-Total:	<u>\$268,310</u>
Total Revised Contract:	<u>\$995,306</u>

Brian stated that District staff negotiated the additional costs downward from an original \$206,490 proposal, to the \$174,540 amount above. Brian further stated that the funds are available from the Dry Creek Trust Fund for services since the FY 2006/2007 District budget included a significantly larger than necessary construction fund dollars than will actually be required.

Director Rompala asked if the amendment covered the increased costs for the bike path easement along with the increased construction management costs going from 85 to 110 working days. Brian replied that it also includes increased consulting services during design to respond to additional Dam Safety requirements. Brian indicated the bulk of the amendment is relating to the increased number of construction working days.

MOTION: Santini / Hanley – Unanimous

d. Miners Ravine Off-Channel Detention Basin Facility – Approval Authority for Construction Contract Change Orders and Approval of Construction Contract Change Order No. 1.

Ken requested that this item be added to the agenda per Government Code Section 54954.2 (b) as it is a matter of public safety as defined by Code Section 54956 (a) and the need for the item was not known at the time of posting the agenda. It authorizes the Executive Director to issue a construction contract change order up to an amount of 8% of the total construction contract value (or \$191,266) and approve Construction Contract Change Order No. 1 for additional groundwater dewatering in the approximate amount of \$98,880 relating to contract No. 73242 with Syblon Reid. Ken reported that Staff will keep the Board informed of all construction contract change orders approved under this authority at regular meetings of the Board.

Ken further stated that Construction Contract Change Order No.1 is required to compensate the contractor for the handling of higher than anticipated groundwater and that this change became necessary based on a higher than expected groundwater table level discovered at the site during initial excavations for embankment footings. The embankment excavations must be kept free of groundwater during embankment footing construction operations per the State Division of Safety of Dams requirements. This change order will replace Bid Item No. 11, which included payment on a cubic yard basis for “Control and Removal of Water”, with a negotiated lump sum price that includes all necessary dewatering to complete the project work. The change will increase the total construction contract value by approximately \$98,880 and based on the extensive additional groundwater present at the site, is considered a fair and reasonable increase over the original \$80,000 bid price for this item.

Director Santini asked if the only change order would be the dewatering. Ken Grehm stated that this change order will cover one hundred percent for any regular type of dewatering but with the exception of an extraordinary event such as an “act of God” the contractor may make a claim for that type of issue.

MOTION: Weygandt / Santini – Unanimous

7. NEXT MEETING:

The next regularly scheduled Board meeting is September 11, 2006, at 4:00 p.m. at the Rocklin City Council Chambers.

8. **ADJOURNMENT:**

The meeting was adjourned at 4:34 p.m.

Respectfully submitted,

Carrie Diller

District Secretary